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Proposed Attorneys for James W. Cunningham, Chapter 7 Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

_____	§	
IN RE:	§	
	§	
ATLAS STONE DISTRIBUTION, INC	§	Case No. 19-31006-sgj7
	§	
DEBTOR.	§	No Hearing requested
_____	§	

TRUSTEE'S APPLICATION FOR EMPLOYMENT OF ATTORNEY

NOTICE

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE STREET, ROOM 1254, DALLAS, TX 75242-1496 BEFORE CLOSE OF BUSINESS ON JULY 1, 2019, WHICH IS TWENTY-FOUR (24) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

COMES NOW, James W. Cunningham, Chapter 7 Trustee in the above styled and numbered case (the "Trustee" and/or "Applicant"), and makes this **Trustee's Application for Employment of Attorney** and would show the Court as follows:

1. The Trustee requires the services of an attorney for the following purposes:
 - a. To identify property of the estate and to sort out claims of numerous lenders, consignment claimants, and related business entities.
 - b. To advise and consult with the Trustee concerning questions arising in the conduct of the administration of the estate and concerning the Trustee's rights and remedies with regard to the estate's assets and the claims of secured, preferred and unsecured creditors and other parties in interest;
 - c. To appear for, prosecute, defend and represent the Trustee's interest in suits arising in or related to this case;
 - d. To assist in the preparation of such pleadings, motions, notices and orders as are required for the orderly administration of this estate; and
 - e. To investigate what means may be necessary to preserve certain property rights owned by the estate and to determine and take all necessary and reasonable actions for the preservation and/or liquidation of such assets where necessary.

2. For the foregoing and all other necessary and proper purposes, Applicant desires to retain the law firm of CAVAZOS HENDRICKS POIROT, P.C. as counsel.

3. Because the attorneys of CAVAZOS HENDRICKS POIROT, P.C. concentrate their practice in the fields of bankruptcy, corporate reorganization and debtor/creditor matters, and because of the firm's experience in those fields, Applicant feels that they are well qualified to render the foregoing services.

4. Applicant believes that said attorneys do not hold or represent any interest adverse to that of your applicant or this bankruptcy estate, and that said attorneys are disinterested persons within the meaning of 11 U.S.C. § 101(14). Attached hereto is the Rule 2014 Statement of Connections signed by Charles B. Hendricks, Senior Counsel with CAVAZOS HENDRICKS

POIROT, P.C. Applicant is informed that the normal hourly billing rates of said attorneys range between \$230 per hour and \$500 per hour and \$50 to \$135 per hour for paraprofessional services. Said attorneys estimate their fees will range from \$15,000.00 to \$50,000.00 and it is contemplated that said attorneys will seek compensation based upon normal and usual hourly billing rates.

5. Applicant understands that said attorneys will seek compensation, both on an interim basis during the case as permitted by 11 U.S.C. § 331 and on a final basis, pursuant to 11 U.S.C. § 330.

WHEREFORE, Applicant prays that she be authorized to employ the law firm of CAVAZOS HENDRICKS POIROT, P.C. as her attorneys to render services in the areas described above, with compensation to be paid as an administrative expense in such amounts as this Court may hereinafter determine and allow.

Respectfully submitted,



James W. Cunningham, Chapter 7 Trustee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served this 4th day of June, 2019 by electronic transmission through the Court's automated Case Management and Electronic Docketing System for the U. S. Bankruptcy Court for the Northern District of Texas on all parties-in-interest submitting to service of papers in this case by said means and via first class mail, postage prepaid on the following:

U.S. Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242-1496

Joyce W. Lindauer
Joyce W. Lindauer Attorney, PLLC
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Dallas, TX 75230

Atlas Stone Distribution, Inc.
1540 Champion Drive
Suite 200
Carrollton, TX 75006
DALLAS-TX

James W. Cunningham, Chapter 7 Trustee
Jim Cunningham & Associates, Inc.
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Dallas, TX 75214-3451

Jeffery M. Veteto
Joyce W. Lindauer Attorney, PLLC
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Dallas, TX 75230
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Carrollton-Farmers Branch ISD,
Valwood Improvement Authority,
Grapevine-Colleyville ISD
c/o EBONEY COBB
Perdue, Brandon, Fielder, Collins & Mott, L.L.P.
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Arlington, Texas 76010

Tarrant County
Dallas County
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Courtney J. Hull
Assistant Attorney General
Bankruptcy & Collections Division MC 008
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Comerica Bank
c/o Robert J. Diehl Jr
Bodman PLc
6th Floor at Ford Field
1901 St. Antoine Street,
Detroit, Michigan 48226

Selva Stone Export, LTD
c/o Jeffrey R. Sandberg
Palmer & Manuel, PLLC
8350 N. Central Expressway, Suite 1111
Dallas, Texas 75206

Rafiky International Inc. d/b/a "West Quartz"
c/o John P. Lewis, Jr.
1412 Main Street, Suite 210
Dallas, Texas 75202

Granitos E Marmores LTDA
c/o James S. Johnson
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Export Development Canada
c/o Russell W. Mills
Anthony J. Begon
Bell Nunnally & Martin LLP
2323 Ross Avenue, Suite 19000
Dallas, Texas 75201

BBK/Westport Industrial, LLC
c/o Peter . D'Apice
Heather J. Panko
Stutzman, Bromberg, Esserman & Plifka
2323 Bryan Street, Suite 2200
Dallas, Teas 75201

Colors of Brazile, LLC
Colors of India, LLC
c/o Steven J. Lownds
Quilling, Selander, Lownds, Winslett & Moser,
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Comerica Bank
c/o Michael P. Menton
Will G. Bassham
SettlePou
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Dallas, Texas 75219

UMB Bank, N.A.
c/o Jacob Sparks
Spencer Fane LLP
5700 Granite Parkway, Suite 650
Plano, Texas 75024

UMB Bank, N.A.
c/o Eric M. Van Horn
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/s/ Charles B. Hendricks
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RULE 2014 STATEMENT OF CONNECTIONS

I, Charles B. Hendricks, hereby declare under penalty of perjury the following:


I am a shareholder in the law firm of Cavazos Hendricks Poirot, P.C. and have been asked to be employed as attorney for the Trustee in this case.

Except as disclosed below, neither I, nor Cavazos Hendricks Poirot, P.C., has any known connections with the Debtor, the United States Trustee or any person employed in the office of the United States Trustee, and – to the extent heretofore identified in the filings in this case – the creditors, any other party in interest, their respective attorneys or accountants.

For purposes of disclosure, Steven T. Holmes, prior to joining our law firm in February 2018, served as local counsel for UMB Bank, N.A., as Bond Trustee in *In re: Texas Pellets, Inc.* Case No. 16-90126 in the Eastern District of Texas. Cavazos Hendricks Poirot, P.C. has never represented UMB Bank and Mr. Holmes did not represent UMB Bank, N.A. in connection with

this Debtor nor has Mr. Holmes represented UMB Bank on any matter since joining Cavazos
Hendricks Poirot, P.C.

Dated this 4th day of June, 2019.



Charles B. Hendricks